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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.           | CONFIRMATION NO. |
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| 09/898,328      | 07/03/2001  | Louis L. Hsu         | YOR9-2001-0339US1<br>(728-21) | 4784             |

7590 02/21/2003

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EXAMINER

CUNNINGHAM, TERRY D

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2816

DATE MAILED: 02/21/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/898,328

Applicant(s)

HSU ET AL.

Examiner

Terry D. Cunningham

Art Unit

2816

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 January 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_                      6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Summary of changes in this action***

1. The indefiniteness rejections to the claims concerning the antecedent problem have been overcome.
2. A new ground of rejection is applied herein based on a newly found reference.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

In claim 1, line 1, the phrase “for controlling a control circuit controlling a charge pump”.

It is not clear as to what exactly is “controlling” the “charge pump”, the “programming circuit”

or the “control circuit”. It appears that --for-- should be inserted before “controlling” in line 2.

Additionally, the language concerning the “control circuit” can only be seen to be intended use

and that the language concerning the “charge pump” is further intended use. It is not understood

what relevance language that is intended use with respect to that the “control circuit” can have

when the language concerning “control circuit” is itself intended use.

Claims 10-13 are rejected for the reasons discussed above with claim 1.

Claims 29-31 and 33 are rejected for similar reasons as 1 and 10-13.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-33 are rejected under 35 U.S.C. 102(b) as being anticipated by Horowitz et al. (USPN 5,254,883). Horowitz et al. disclose, in Fig. 6, a circuit comprising: “means for receiving (137a-137e)”; “means for processing (127)”; and “means for outputting (130 and 5R), all connected and operating similarly as recited by Applicant.

Examiner has considered Applicant’s remarks for the above rejections, however, the reference to Skovmand is clearly capable of providing the claimed “intended use”.

Claims 16 and 25-28 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by newly cited art to Itoh et al. (USPN 5,388,084). Itoh et al. disclose in Figs. 13-15, a circuit comprising: “means for charge pumping (20)”; “means for controlling (19, 21, 25, 27, 29-33 and 61)”; “means for programming (remainder of circuit)”; having “means for receiving (line receiving  $V_A$ )”; “means for processing...using at least a series of bias stages (R1-R9)”; “means for generating (switches 28)”; and “means for outputting (common node  $V_B$ )”, all connected and operating similarly as recited by Applicant.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Terry Cunningham whose telephone number is 703-308-4872. The examiner can normally be reached on Monday-Thursday from 7:30 to 6:00.


If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Timothy P. Callahan can be reached on 703-308-4876. The fax phone numbers for Technology Center 2800 are 703-872-9318 for Before Final communications and **703-872-9319** for After Final communications. Please note, any faxed paper clearly stating **DRAFT** or

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**PROPOSED AMENDMENT** at the top will be forwarded directly to the Examiner. All others will be treated as a formal response and acted upon accordingly.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is 703-308-0956.

TC  
February 19, 2003

  
Terry D. Cunningham  
Primary Examiner  
Art Unit 2816